

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In Re:     DAMON M. SWANK                             :<     Case No. 19-53851  
          SARA L. SWANK                                 :<     Chapter 13  
  
                          Debtor(s)                     :     Judge Jeffery P. Hopkins

**TRUSTEE’S MOTION TO MODIFY CHAPTER 13 PLAN**

Now comes Faye D. English, Chapter 13 Trustee, and moves this Court for Modification of Debtors' Chapter 13 Plan, pursuant to 11 U.S.C. § 1329(a) and Fed. R. Bankr. P. 3015. Support for this Motion is set forth below.

**MEMORANDUM IN SUPPORT**

Debtors' Chapter 13 Plan was confirmed on December 13, 2019, and provides for a dividend of 1.4% to unsecured creditors. The plan was previously modified on March 04, 2020.

The Debtors have reported to the Trustee that there is additional disposable income due to a tax refund. The Trustee seeks to administer the sum of \$1,528.00 from the Debtors' 2020 tax refund and raise the dividend paid to unsecured creditors to 21.332%. The proposed modification does not adversely affect creditors and applicable commitment period of 36 months.

Wherefore, the Trustee respectfully requests that this Court enter an Order modifying the Plan as set forth above pursuant to 11 U.S.C. § 1329 and granting such other and further relief as the Court deems just and proper.

Respectfully Submitted,

/s/ Faye D. English

Faye D. English  
Chapter 13 Trustee  
10 West Broad Street, Suite 1600  
Columbus, Ohio 43215-3419  
Telephone: 614-420-2555  
Facsimile: 614-420-2550

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	SARA L. SWANK	:	Chapter 13
	Debtor(s)	:	Judge Jeffery P. Hopkins

/s/ Faye D. English  
Faye D. English  
Chapter 13 Trustee

<b>CERTIFICATE OF SERVICE</b>
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I hereby certify that a copy of the foregoing Trustee's Motion to Modify Chapter 13 Plan was served (i) **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and (ii) by **first class mail** on 3/16/2021 addressed to:

Damon M. Swank  
Sara L. Swank  
635 Mclean St.  
Washington Ct. House, Oh 43160

/s/ Faye D. English  
Faye D. English (0075557), Chapter 13 Trustee